

Solano County

*675 Texas Street
Fairfield, California 94533
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Minutes - Final-revised

Thursday, May 20, 2021

7:00 PM

Board of Supervisors Chambers

Airport Land Use Commission

Due to COVID-19 and to protect County staff and members of the public, the Board Chambers will be open with distancing measures provided. This precaution is being taken pursuant to the authority conferred by Governor Newsom's Executive Order N-29-20. All or some of the Commissioners will attend the meeting telephonically and participate in the meeting to the same extent as if they were present.

PUBLIC COMMENTS: To submit public comments, please see the options below.

Email/Mail:

If you wish to address any item listed on the Agenda, or Closed Session by written comment, please submit comments in writing to the Airport Land Use Commission by U.S. Mail or by email to Planning@SolanoCounty.com. Written comments must be received no later than 11:00 a.m. on the day of the meeting.

Phone:

To submit comments verbally from your phone, you may do so by dialing: 1-415-655-0001 and using Access Code 177 253 0171 on your phone. Once entered in the meeting, you will be able to hear the meeting and will be called upon to speak during the public speaking period.

Any person wishing to review the application(s) and accompanying information may do so on the county website. All agendas and reports are located on the county website. Non-confidential materials related to an item on this Agenda submitted to the Commission after distribution of the agenda packet are available for public inspection during normal business hours and on our website at www.solanocounty.com under Departments, Resource Management, Boards and Commissions.

The County of Solano does not discriminate against persons with disabilities and is an accessible facility. If you wish to attend this meeting and you will require assistance in order to participate, please contact Jamielynn Harrison, Department of Resource Management at (707) 784-6765 at least 24 hours in advance of the event to make reasonable arrangements to ensure accessibility to this meeting.

AGENDA

CALL TO ORDER

The Solano County Airport Land Use Commission met on May 20, 2021, in a special meeting in the Board of Supervisors' Chambers at the Solano County Government Center, 675 Texas Street, Fairfield, California, at 7:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present were Commissioners Catherine Cook, Bruce DuClair, Thomas Randall, Donald Ryan, Ross Sagun, Dan Sarna, Stephen Vancil, and Chairman J.W. Seiden. Also present were County Counsel Lori Mazzella, Resource Management Director Terry Schmidtbauer, Planner James Leland and Clerk, Jennifer Senatore.

APPROVAL OF AGENDA

On a motion of Commissioner DuClair, and seconded by Commissioner Cook, the agenda for May 20, 2021 was approved. So ordered by 8-0 vote.

APPROVAL OF THE MINUTES

There were no minutes to approve.

REPORTS FROM COMMISSIONERS AND/OR STAFF

Commissioner Cook requested an update on the current status of the letter voted in favor of at the last meeting regarding recommendation of Ruth Meyer by the Mayors' Selection Committee.

Chair Seiden responded that the letter has been drafted and should be sent out first of the week.

Commissioner Cook added that everyone should know the Mayors' Selection Committee does not meet until June 16, 2021.

ITEMS FROM THE PUBLIC

Chairperson Seiden invited members of the public to address the Commission on the special meeting agenda item. There were no speakers.

CONSENT CALENDAR

There were no items on the Consent Calendar of this special meeting.

PUBLIC COMMENT ON CONSENT CALENDAR

APPROVAL OF THE CONSENT CALENDAR

REGULAR CALENDAR

OLD BUSINESS

NEW BUSINESS

AC 21-009

ALUC-21-03 Sacramento Municipal Utility District (SMUD) Solano 4 Wind Turbine Project

Conduct a Public hearing to consider an application (ALUC-21-03) from SMUD for a consistency determination for the Solano 4 Wind Turbine Project at 1785 Toland Lane in unincorporated Solano County. (Sponsor: Sacramento Municipal Utility District)

Attachments: [A - Complete submittal package](#)
[B - SMUD ALUC Application](#)
[C - SMUD Referral Cover Ltr](#)
[D - Travis AFB Pilot Mitigation Project Summary PUBLIC](#)
[E - Westslope Consulting Ltr \(1\)](#)
[F - SMUD Office Memo](#)
[G - 60th Air Mobility Wing \(AMW\) letter](#)
[H - Office of the Assistant Secretary of Defense letter](#)
[I - Letter to A. Rice-SMUD re Solano 4 DEIR - 9-6-19](#)
[J - Solano County ALUC SMUD Solano 4 Consistency Analysis Memo](#)

Planner James Leland provided an overview of the SMUD Solano 4 Wind Turbine Project with a recommendation the project is not consistent with the Travis Plan, and does not meet requirements for an exemption under special conditions.

Chair Seiden asked SMUD to present their information to the Commissioners.

SMUD Project Manager Buck Cutting introduced SMUD Board Member Rob Kerth (via WebEx) who spoke of project benefits including new construction jobs and economic contributions.

Chair Seiden asked for Commissioner questions to Mr. Kerth. There were none.

Mr. Cutting then presented SMUD's Solano 4 Wind Turbine project to commissioners.

Geoff Blackman (via WebEx) of Westslope Consulting presented slides regarding radar interference analysis.

Chair Seiden asked for any Commissioner questions to Mr. Blackman.

Commissioner Sagun asked about the WTRIM Study mentioned in the presentation, in that he didn't see any reference in the DEIR about WTRIM.

Mr. Blackman did not feel he was the right person to respond, but did mention that in their process they identify concerns, and if there's an unacceptable risk, they identify mitigation.

Mr. Cutting stated their interest in participating in the WTRIM process is to be good neighbors. And stated he believed Ammon Rice (CEQA lead) is on the call, if not, they could try to get him on the phone.

Commissioner Sagun asked if WTRIM would be in the Final EIR in June?

Mr. Cutting stated he would have to ask his CEQA consultant.

Commissioner Sagun asked if the commission was provided the study indicating the project would have no additional impact and might have incremental improvement in the radar.

Mr. Cutting stated that it's documented in Jim Leland's study and it has been shared.

Commissioner Sagun asked if other commissioners had access to this study, and further mentioned that Solano 4 West showed some incremental improvement in the radar reflections, but did not hear mention of Solano East.

Mr. Blackman stated they looked at Solano West and there was a small impact on Travis. The Solano 4 East negated that impact, making a net zero impact.

Commissioner Sagun clarified, "You're saying at the Solano 4 West there was an increase in impact, but the Solano 4 East study showed there was a decrease, and they zeroed each other out, is that right?"

Mr. Blackman responded, "Yes sir."

Joe Schofield from SMUD stated that CEQA requires mitigation when there is a potential significant impact. In this case, since the two phases East and West together pose no deviation from the baseline of radar interference, CEQA does not call this to be an interference.

Commissioner Sagun asked about the lifespan of the existing wind generators, and of the proposed replacements.

Mr. Cutting responded that they are designed to an international standard for a 20-year fatigue life. The proposed turbines are likely 25 years.

Commissioner Sagun asked for the specific time frame of existing turbines due to be replaced coming up on their 20-year life span.

Mr. Cutting stated that 1 is two years past its lifespan, 15 have three years to go, and 7 have four years of lifespan.

Commissioner Sagun asked if the FAA's determination of no hazard has expired.

Mr. Cutting stated, "No, we have a valid extension."

Commissioner Cook has a question for Mr. Blackman: Is this a different type of radar system that you're talking about? I see the bullet that says, "Enter Agreement to provide voluntary contribution for funding it."

Mr. Blackman said the radar talked about is the main radar being used by Travis AFB, the DASR (digital airport surveillance radar).

Commissioner Cook stated she understands the primary and secondary radar and asked if the digital is the secondary.

Mr. Blackman said the DASR is the primary radar, the secondary is the MSSR. Both are digital radars. They looked at the impact of Solano 4 West and were able to show that Solano 4 East negates the impact.

Commissioner Cook stated that it is not going to remove the current problem that the controllers have, and that the infill radar is the most promising technology to do that.

Mr. Blackman responded that from the controllers' perspective, they won't be able to see any difference, that is what Travis experts ultimately concluded working with their radar experts including NORAD.

Commissioner Cook agreed, but stated they still have a negative effect now. She asked, "It's not going to be worsened is what you're saying?"

Mr. Blackman responded, "Yes, that's correct."

Mr. Cutting stated they are talking about 19 turbines, and currently there are approximately 560 installed. They worked very hard to ensure no net change, and the project is a small fraction of what is currently out there.

Commissioner Cook thanked SMUD for bringing this presentation to the commission, and that it's important to have this public forum to discuss and bring their concerns.

Mr. Blackman commented about the voluntary contribution. It's standard practice dealing with base radar or radar use for defense that they put agreements in place to fund Air Force engineers to update the radar settings once the projects are built. When they worked through the process with Travis/DOD, it was determined this was not required. It was a recommendation but was not required.

Commissioner Vancil thanked presenters and provided a summary of the probability of detection issues and the line of sight criteria.

Commissioner DuClair asked, "How noisy are the new turbines and how will this affect the controller's display?"

Mr. Blackman stated that when they reduce the number of turbines by going up in height, it will reduce the effects on the radar. Repowering is considered something that can result in improvement on the radar. Even though the returns are greater, the overall effect is considered less.

Commissioner DuClair ask if the false positives will be the same.

Mr. Blackman responded there would be no difference from what they're currently seeing today.

Commissioner Sarna asked if it had more of an effect on the area of the turbines on the screen of the radar operators.

Mr. Blackman responded, "No." And that the way the project is designed it will have a net zero effect to the operators.

Commissioner Sarna asked, "During inclement weather, does that affect clutter on the screens?"

Mr. Blackman responded, "No."

Commissioner Vancil asked which project is being built first, in regard to the negative or positive effect project.

Mr. Cutting stated that it's up to the contractor, but they would be built in the same year. They would first take the 23 down, so it would get better.

Commissioner Sagun asked which radars other than Travis will be affected by the project.

Mr. Blackman responded it would be in line of sight with the Stockton and Mill Valley radars. For both radars, mitigation is already in place to address turbines.

Commissioner Sagun asked if the McClellan radar be affected?

Mr. Blackman confirmed it's within line of sight of Stockton, Travis, Mill Valley and McClellan radars. But from all reviews, the determination was no additional effect to operations.

Commissioner Randall asked if the project would put any limits on Travis considering their mission to expand with other planes.

Mr. Cutting stated they do not want to jeopardize any of Travis' operations. The project is approximately 15 miles from the Travis east end landing zones, and the location and transmission towers preclude it from being a low-altitude route.

Commissioner Sagun stated that in reading the Westslope attachment regarding interference in relation to FAA and DOD, he did not see this in the letters or the Draft EIR. Would this be included in the Final EIR?

Mr. Cutting responded that all documents were in the Consistency Determination Application. FAA determined no risk, and they received a clean bill of health from the DOD clearinghouse.

Commissioner Vancil asked if they know where the gap radar, infill radar stands?

Mr. Cutting stated that with the east coast pushing very hard for extremely large offshore wind turbines and having similar radar issues, it will put pressure on the FAA to come up with a solution. The interest and need to develop an infill radar is increasing, not decreasing.

Chair Seiden noted that the Environmental Science Associates and West Yost studies indicated minimal impact, not zero impact, and requested clarification to the contradiction. And further asked for assurance there is in fact "no"

decrease in detectable capability.

Mr. Cutting stated they have worked assiduously to not jeopardize it. The FAA lead agency found the project acceptable, which first had to pass the DOD clearinghouse. At the airspace operational level, the lead agencies nationwide have found the project acceptable.

Commissioner Cook requested clarification from Mr. Leland that staff position is not in support as the project does not comply with the line of sight requirement.

Mr. Leland offered explanation of the conflict. The DOD and FAA have taken the position with respect to review of wind turbine projects that if they're not making it any worse, it's okay by them. Meanwhile, different people at the FAA & DOD are saying the radar at Travis is unacceptable and need to find a pilot mitigation project to fix it. There are different voices coming out of the institution. More important is that the FAA has no jurisdiction over the approval of the project, they're advisory only, it's a land use project. With the Travis plan, you were looking at the CRADA work which the ALUC was not involved in (the 80% standard). This commission switched to line of sight because the CRADA process was not solving the problem. Staff does not deny all the documents, the DOD, FAA or Travis, but are looking at it with a different lens.

Commissioner Vancil discussed the determinational hazard changes Rio Vista had to make due to the wind turbines.

Mr. Blackman responded saying there is no change to Rio Vista, but there was an altitude change on the charts for Northern California TRACON, changes that the FAA does daily. The FAA in this particular case will rely on the DOD and Travis, their radar experts to make a determination whether this is workable. All came to the conclusion that this project will not result in any additional effect on the Travis radar and therefore not result in any additional change to Travis operations.

Commissioner Sarna asked if there would be any changes to minimum vectoring altitude?

Mr. Blackman replied that it will increase one sector in Northern California TRACON from 1700 to 1800 feet, accepted by FAA and not deemed to be a significant change.

Chair Seiden opened the Public Hearing.

Mr. Cutting stated he was not finished with his presentation.

Chair Seiden retracted his statement regarding opening the Public Hearing.

Mr. Cutting continued and completed presentation of the project.

Commissioner Sagun asked if the controller workload was addressed in any of the EIR's or studies.

Mr. Schofield from SMUD responded that the CEQA determines environmental

impacts and does not determine economics or individual workload.

Commissioner Sagun clarified the question asking if human factors, which are an environmental issue, were considered.

Mr. Blackman stated he is routinely involved in risk management panels with the FAA where controller workload is one aspect. Since the FAA determined no additional effects from this project, there would be no increased controller workload.

Chair Seiden asked if any callers are available and opened the Public Hearing.

Mr. Leland stated that callers were unable to call into the meeting, but have made comments on the Chat page and will read them into the record.

Comments on the Chat Page:

1. Doug LeMoine commented that he applauds SMUD for the work they have done and all their efforts with the DOD and FAA to deem the project acceptable. My name is Doug LeMoine from Laborers Union Local 324 and we stand with and support SMUD for their efforts thus far. We look forward to supporting you in any way possible on Solano 4. I personally have been a working hand on Solano 3 as well as Shiloh 4.
 - 1a. Rob Kerth commented, Thanks Doug, wonderful.
2. Jorge Romero – My name is Jorge Romero with Cement Eastmans(?) Local 400 and we also stand in support of SMUD.
 - 2a. Rob Kerth commented, Thanks Jorge.
3. Danny Bernardini states that the code given on the agenda is not valid, we have tried to call in several times.
4. Doug LeMoine commented, “Well said, Geoff Blackman. There is no hazard. This project has been deemed acceptable by DOD and FAA.”
5. Glen Loveall commented, “Yes I would like to speak.”
6. Danny Bernardini commented, “The code is not valid, or meeting has not yet started. Yes, I would like to speak.”

Chair Seiden asked if that were all the Public Comments. No more comments were in Chat.

(Callers were now able to connect.)

Callers:

1. Doug LeMoine with Laborers Union Local 324 spoke in support of the project.
2. Glen Loveall, political coordinator of the Iron Workers Union Local 378 representing union members across Solano County, spoke in support of the project.

3. **Danny Bernardini, Business Manager of Solano Building & Construction Trade Council, spoke in support of the project.**

Chair Seiden asked if any additional callers would like to speak. There were 22 callers on the line. After waiting a brief period, no one else unmuted to speak.

Chair Seiden closed the Public Hearing.

Commissioner Sagun thanked SMUD and their consultants for the presentation.

Chair Seiden added his thanks to SMUD for the well-prepared presentation and information provided.

Chair Seiden asked for motion to approve ALUC 21-03 SMUD Solano 4 Wind Turbine project.

Commissioner DuClair motioned to not approve at this time, and requested additional time.

Lori Mazzella stated that the deadline for action will occur before the next meeting.

Chair Seiden asked Ms. Mazzella to clarify to the commission.

Ms. Mazzella stated that commission has to act on an application within 60 days. If the commission does not act, it is deemed "Consistent." Sixty days is prior to the next meeting. Tonight would be the time to act, especially if commission want to deem "Not Consistent."

Chair Seiden said the motion is to table at this time.

Commissioner Sagun clarified that to table to the next meeting is automatically deeming the proposal consistent.

Chair Seiden responded that if the commission fails to act, it automatically gives approval.

Chair Seiden stated no second motion, therefore the motion is withdrawn.

A motion was made by Commissioner Randall, seconded by Commissioner Cook, to find this proposal inconsistent with commission rules.

Ms. Mazzella noted two parts to recommendation were needed. Whether it is consistent or not, and whether the special circumstance applies. Staff recommendation was to find it not consistent, and the special circumstances do not apply.

Chair Seiden asked Commissioner Randall to please modify motion.

A motion was made by Commissioner Randall, and seconded by Commissioner Cook, to add inconsistency and not meeting up to special circumstances to the motion. So ordered by a vote of 8-0.

Commissioner Cook stated appreciation in the benefit of renewable energy, although the ALUC role is to protect the airports. A solution to the radar is still in the future, and this is why she felt the project is not consistent at this time.

Chair Seiden agreed with Commissioner Cook in the role of the ALUC, and appreciated the calls of support. Further stating that the commission's role is to determine whether the project meets the criteria. He stated the application is deemed not to be not in compliance with the needs of the county to protect our airports, and thanked SMUD for their presentation.

ADJOURN

This special meeting of the Airport Land Use Committee adjourned at 9:05 p.m. The next regular meeting is scheduled for July 8, 2021 at 7:00 p.m.